

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	CHAPTER 11
	:	
ROOSEVELT INN, LLC and	:	Bky. No. 21-11697 (AMC)
ROOSEVELT MOTOR INN, INC.	:	
	:	
Debtors.	:	
	:	
UFVS MANAGEMENT COMPANY	:	REMOVED PROCEEDINGS
LLC, et al.	:	
	:	
Plaintiffs,	:	Court of Common Pleas,
	:	Philadelphia County, Pennsylvania
	:	
v.	:	CCP Case No. 200701464
	:	
PRAETORIAN INSURANCE	:	<b>Adversary No: 21-00053-amc</b>
COMPANY, et al.	:	
	:	
Defendants.	:	
	:	

**STATEMENT PURSUANT TO RULE 9027(e)(3)**

Defendant, Praetorian Insurance Company (“Praetorian”), pursuant to Fed. R. Bankr. P. 9027(e)(3), by and through its undersigned counsel, submits this statement (“Statement”) in response to the Notice of Removal (Adv. Doc. No. 1) filed by Plaintiffs, Roosevelt Inn, LLC (“Roosevelt Inn”) and Roosevelt Motor Inn, Inc. (“Roosevelt Motor Inn” and together with Roosevelt Inn, the “Debtors”), as follows:

1. Praetorian does not consent to the entry of final orders or judgment by the Bankruptcy Court in the adversary proceeding. It has not yet been determined whether or not the Court, absent consent of the parties, is prohibited from entering final orders or judgment consistent with Article III of the United States Constitution in the Debtors' bankruptcy case.

2. The Notice of Removal filed by the Debtors contains commentary and characterizations that do not require a response in order to satisfy the requirements of Bankruptcy

Rule 9027(e)(3).<sup>1</sup> Accordingly, Praetorian will not, through this Statement, respond to commentary included in the Notice of Removal. Praetorian reserves the right and opportunity to do so if and when necessary or appropriate.

3. Praetorian does not waive and expressly reserves all of its respective rights, claims, defenses and remedies to the underlying removed litigation and the Notice of Removal, including but not limited to: (a) the right to request that the Court abstain from hearing this proceeding or remand this proceeding; (b) the right to demand a jury trial; (c) the right to request that the reference of this proceeding to this Court be withdrawn; and (d) any other claim, right or action.

Respectfully submitted,

DATED: July 13, 2021

STEWART SMITH

/s/ Michael J. Smith

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<sup>1</sup> Federal Rule of Bankruptcy Procedure 9027 was amended in 2016 to remove a requirement that a pleading state whether a proceeding is core or noncore, responding to *Stern v. Marshall*, 564 U.S. 462, 131 S. Ct. 2594, 180 L. Ed. 2d 475 (2011). Rule 9027, as amended in subdivision (a) and (e)(3), requires only a statement as to whether or not the pleader consents to entry of final orders or judgment by the bankruptcy court.

**CERTIFICATE OF SERVICE**

I, Michael J. Smith, Esquire, hereby certify that on the 13<sup>th</sup> day of July, 2021, I caused a true and correct copy of the foregoing Statement Pursuant to Rule 9027(e)(3) to be filed with the Court and that notice of same has been or will be provided to all parties as indicated below.

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/s/ Michael J. Smith  
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